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ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/10/08

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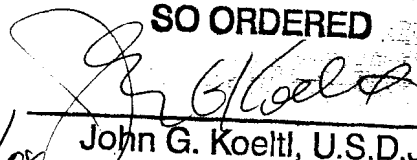
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June 9, 2008

By Facsimile Transmission

Honorable John G. Koeltl
United States District Judge
Southern District of New York
500 Pearl Street, Rm. 1030
New York, New York 10007

APPLICATION GRANTED
SO ORDERED

6/9/08 
John G. Koeltl, U.S.D.J.

Re: Hochstadt v. NYC Dep't. of Education, et al.
Civil Action No. 08 Civ. 4797 (JGK)
Law Dep't No. 2008-020566

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Assistant Corporation Counsel
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Dear Judge Koeltl:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel for the City of New York, attorney for defendants the New York City Department of Education ("DOE"), and Joel Klein, ("City Represented Defendants"), in the above referenced pro-se employment discrimination action. I write to respectfully request that the City Represented Defendants' time to respond to the Amended Complaint be extended from June 10 to July 8, 2008. This is the City Represented Defendants' first request for an extension of time to respond to the Complaint, and I have been unable to reach plaintiff to obtain her consent to this request. The requested extension will not affect any other scheduled dates. We also respectfully request that the time of defendants Robert Wilson, Phil Crowe, Judith Rivera, and Dr. Eloise Messineo¹, all of whom are or were DOE employees, be similarly extended *sua sponte* by the Court.

City Represented Defendants request this extension of time to permit the Office of the Corporation Counsel to conduct an inquiry to determine whether to offer representation to the

¹ Upon information and belief, to date, the individual defendants have not been properly served with Complaint.

HONORABLE JOHN G. KOELTL

United States District Judge

Hochstadt v. NYC Dep't. of Education, et al.

Civil Action No. 08 Civ. 4797 (JGK)

June 9, 2008

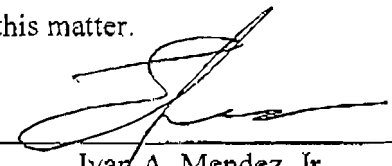
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individual defendants, Wilson, Crowe, Rivera, and Messineo. See General Municipal Law § 50(k); Mercurio v. The City of New York, et al., 758 F.2d 862, 864-65 (2d Cir. 1985); Williams v. City of New York, et al., 64 N.Y.2d 800, 486 N.Y.S.2d 918 (1985) (decision whether to represent individual defendants is made by the Corporation Counsel as set forth in state law). If representation is offered then the individual defendants must determine whether to accept representation by this Office. See Dunton v. County of Suffolk, 729 F.2d 903 (2d Cir. 1984). Given the time involved in determining the representation of an employee, and in the interest of judicial economy, we would hope that the Court may extend the time to answer on behalf of all defendants.

It is therefore respectfully requested that the City Represented Defendants' time to respond to the complaint be extended, and that the Court, *sua sponte*, similarly extend defendants Wilson's, Crowe's, Rivera's and Messineo's time to respond from June 10 to July 8, 2008.

We thank the Court for its consideration in this matter.

By:



Ivan A. Mendez, Jr.
Assistant Corporation Counsel

cc: **JOY HOCHSTADT,**
Plaintiff Pro-se
(By Electronic Mail)